

REMARKS

This is a full and timely response to the outstanding final Office Action mailed May 18, 2006. Reconsideration and allowance of the application and pending claims are respectfully requested.

I. Claim Rejections - 35 U.S.C. § 112, Second Paragraph

Claims 14 and 15 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention.

In response to the rejection, Applicant has amended claims 14 and 15 to depend from claim 13. In view of those amendments, it is respectfully asserted that claims 14 and 15 define the invention in the manner required by 35 U.S.C. § 112. Accordingly, Applicant respectfully requests that the rejections to these claims be withdrawn.

II. Claim Rejections - 35 U.S.C. § 102(b) and 103(a)

Claims 1-3, 7-12, 16-21, 24, 25, 27, and 28 have been rejected under 35 U.S.C. § 102(b) as being anticipated by *Kumada* (U.S. Pat. No. 5,815,642). In addition, claims 5, 6, 14, 15, 22, and 23 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kumada* in view of *Such, et al.* ("Such," U.S. Pub. No. 2004/0207862).

As indicated above, each of Applicant's independent claims has been amended through this Response. In view of those amendments, Applicant respectfully submits that the rejections are moot as having been directed at Applicant's claims in a previous form.

Turning to the merits of Applicant's claims, Applicant notes that neither Kumada nor Such teach identifying colors represented by the imaging data "from information contained within the imaging data", as provided in independent claim 1 (similar recitations contained in the other independent claims). Regarding the Kumada reference, which was relied upon in the outstanding Office Action as teaching that aspect, Kumada instead teaches comparing a profile of *an input device* (e.g., computer monitor) with a profile of an output device (e.g., printer). See, e.g., *Kumada*, column 1, lines 29-38. For example, Kumada describes that the target color to be printed "depends on the display characteristics of color monitor 1." *Kumada*, column 5, lines 45-46. In view of the above, Kumada does not teach or suggest identifying colors represented by the imaging data from information contained within the imaging data. Furthermore, Kumada does not teach or suggest wherein the color identification occurs independent of consideration of monitor characteristics. Applicant therefore respectfully submits that Applicant's claims are allowable over Kumada and Such.

III. Canceled Claims

Claims 2 and 26 have been canceled from the application without prejudice, waiver, or disclaimer. Applicant reserves the right to present these canceled claims, or variants thereof, in continuing applications to be filed subsequently.

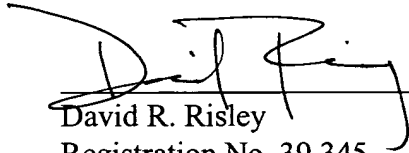
IV. New Claims

Claims 29-34 have been added into the application through this Response. Applicant respectfully submits that these new claims describe an invention novel and unobvious in view of the prior art of record and, therefore, respectfully requests that these claims be held to be allowable.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,



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